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1731

PATENT  
CASE NAME/No.: SP01-243

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: DANA C. BOOKBINDER, et al.

Serial No: 09/941,383

Filing Date: 8/28/2001

Title: FURNACE ASSEMBLY FOR HEATING  
AN OPTICAL WAVEGUIDE PREFORM

Art Group Unit: 1731

Examiner: Hoffmann, John M.

**RESPONSE**

Commissioner for Patents  
Alexandria, VA 22313-1450

**RESPONSE TO EXAMINER'S RESTRICTION REQUIREMENT**

In the Office Action dated January 21, 2004, in the above-captioned application, the Examiner issued a Restriction Requirement identifying the following groups of claims as being drawn to potentially distinct inventions:

- Group I. Claims 1 - 43, drawn to an apparatus for heating a fiber preform, classified in class 65, subclass 540; and
- Group II. Claims 44 - 46, drawn to a method of making a fiber preform, classified in class 65, subclass 385.

The Examiner asserted that these inventions may be regarded as independent and distinct from one another because:

Inventions II and I are related as process and apparatus for its practice because the process as claimed can be practiced by another materially different apparatus or by hand and the apparatus as claimed can be used to practice another and materially different process. The Examiner further asserts that the apparatus can be used to practice another method, such as one where no gas flows from end to end.

Applicants respectfully elect the invention of Group I, upon which claims 1 - 43 read, without traverse.

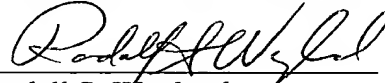
Applicants respectfully elect the invention of Species A, upon which claims 1-12, 27-28, and 38-43 read, without traverse.

Applicants believe that no extension of time is necessary to make this Response timely. Should Applicants be in error, Applicants respectfully request the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Response timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Randall S. Wayland at 607-974-0463.

Respectfully submitted,

CORNING INCORPORATED

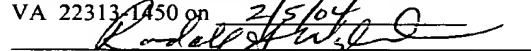


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**CERTIFICATE OF MAILING UNDER 37 C.F.R.**

**§ 1.8:** I hereby certify that this paper and any papers referred to herein are being deposited with the U.S. Postal Service, as first class mail, postage prepaid, addressed to Commissioner of Patents, Alexandria, VA 22313-1450 on 2/5/04

  
Randall S. Wayland, Signature